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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,865	12/02/2003	Jichen Wu	2011148	5576

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Keith Kline
PRO-TECHTOR INTERNATIONAL SERVICES
20775 Norada Court
Saratoga, CA 95070-3018

EXAMINER

GONZALEZ, ANGEL F

ART UNIT	PAPER NUMBER
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2609

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/726,865

Applicant(s)

WU, JICHEN

Examiner

Angel F. Gonzalez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/02/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/02/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 7 and 8 should be renumbered 6 and 7.

Obviousness Type Double Patenting Rejection

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent

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and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-5, 7-8 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 of copending Application No. 10/705,380 in view of Wu et al (US Pub No. 2005/00099659).

This is a provisional obviousness-type double patenting rejection.

Claim 1 of Application No. 10/705,380	Claim 1 of Application No. 10/726,865
an image sensor module, comprising:	an image sensor module, comprising:
a substrate having an upper surface and a lower surface, the upper surface formed with a plurality of first connected ends, the lower surface formed with a plurality of second connected ends;	an image sensor package formed with a top end face having a transparent layer and a bottom end face;
a photosensitive chip arranged at the upper surface of the substrate, and electrically connected the first connected ends by a plurality of wires;	
a lens holder formed with a penetrated hole at a central thereof, an internal thread being formed on the inner wall of the penetrated hole, the lens holder being mounted on the upper surface of the first substrate to encapsulate the photosensitive chip;	a lens holder formed with a chamber, which has an internal thread formed at the inner wall, so that the transparent layer of the image sensor package is arranged at the lens holder;
and a lens barrel arranged within the	a lens barrel inserted within the chamber.

penetrate hole of the lens holder and is formed with an external thread, which is screwed to the internal thread of the lens holder, the lens barrel being formed with a chamber and an opening communicating the chamber, a aspheric and a transparent layer are arranged within the chamber.	of the lens holder, and formed with an external thread, which is screwed on the internal thread of the lens holder, the lens barrel being formed with an opening and a hole communicating the opening, which is formed with a first positioned slot (see Fig. 2) for positioning an aspheric lens.
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6. Note the comparison above, the only difference between claim 1 of this instant application and claim 1 of the application 10/705,380 is that the limitation "a first position slot" is additionally recited. Wu teaches a first position slot (internal thread 64) for positioning an aspheric lens (72) (see [0021]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added the slot of Wu to the claim 1 of the application 10/705,380 so that it provides the image sensor module with manufacturing easily (see [0011]-[0012] of Wu).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) and application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-5 and 7-8, are rejected under 35 U.S.C. 102(e) as being anticipated by

Hsieh et al. (U.S. Publication Number 2005/0099659).

As to claim 1, Wu et al. discloses an image sensor module (Fig. 2),
comprising:

an image sensor package (Fig.2) formed with a top end face (52) having a transparent layer (74) and a bottom end face (54) (see [0018] and [0021];

a lens holder (46) formed with a chamber (68), which has an internal thread (64) formed at the inner wall, so that the transparent layer of the image sensor package is arranged at the lens holder (see [0020]);

a lens barrel (46) inserted within the chamber of the lens holder, and formed with an external thread (66), which is screwed on the internal thread of the lens holder, the lens barrel being formed with an opening and a hole (62) communicating the opening, which is formed with a first positioned slot (see Fig.2) for positioning an aspheric lens (72) (see [0021]).

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As to claim 2, Wu et al. discloses the image sensor module according to claim 1, wherein the lens barrel is formed with a second positioned slot (see Fig. 2) under the first positioned slot for positioning an infrared filter (74)(see page 2, claim 2 of Wu).

As to claim 3, Wu et al. discloses the image sensor module according to claim 1, wherein the image sensor package includes a substrate (40), a frame arranged on the substrate (44), a photosensitive chip (42) arranged on the substrate and electrically connected to the substrate by wires (60), and a transparent layer mounted on the frame layer (see Fig. 2, 74 mounted to 66).

As to claim 4, Wu et al. discloses the image sensor module according to claim 1, wherein the transparent layer is an infrared filter ("transparent layer is an infrared filter" see page 2, claim 2 of Wu).

As to claim 5, Wu et al. discloses a method for manufacturing an image sensor module, comprising the steps of:

providing an image sensor package formed with a top end face having a transparent layer and a bottom end face (see [0018] and [0021]);

providing a lens holder formed with a chamber, which has an internal thread formed at the inner wall, so that the transparent layer of the image sensor package is arranged at the lens holder (see [0020]);

providing a lens barrel inserted within the chamber of the lens holder, and formed with an external thread, which is screwed on the internal thread of the lens holder, the

lens barrel being formed with an opening and a hole communicating the opening, which is formed with a first positioned slot for positioning an aspheric lens, the lens barrel and the aspheric being integrated formed by injecting molded (see [0021]).

As to claim 7, Wu et al. discloses the method according to claim 6, wherein lens barrel is formed with a second positioned slot under the first positioned slot for positioning an infrared filter (see transparent layer 74 notched into 64 and 66 in Fig. 2).

As to claim 8, Wu et al. discloses the method according to claim 6, wherein the image sensor package includes a substrate,

a frame arranged on the substrate (see 44 mounted on substrate 40 in Fig. 2),

a photosensitive chip arranged on the substrate and electrically connected to the substrate by wires (see wires connected to left and right side of photosensitive chip 42 which are connected to substrate),

and a transparent layer mounted on the frame layer (see transparent layer 74 adjoined to (66 and 44)).

Conclusion

9. The prior art made of record and relied upon is considered pertinent to applicant's disclosure.

Hanada et al. (U.S. Patent No. 6,483,101) discloses a sensor chip and a lens mount accommodating therein the sensor chip are mounted on a surface of a wiring

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substrate and a lens holder accommodating a lens therein is coupled with the lens mount.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel F. Gonzalez whose telephone number is 571-272-1702. The examiner can normally be reached on Monday - Friday, 07:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on 571-272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Angel F. Gonzalez

04/30/07

A handwritten signature in black ink, appearing to read 'Chanh D. Nguyen', written in a cursive style.

CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER